

City Area Committee

Planning & Licensing

Minutes

16 October 2003 6.00 pm
Alamein Suite,
City Hall
Salisbury

**These minutes should be kept for use by District Councillors
at the next Council meeting**

Present

Chairman: Councillor Ms S C Mallory

Vice Chairman: Councillor J R L Nettle,

Councillors: Mrs P Brown, K A Cardy, P M Clegg, Mrs E A Chettleburgh, J M Collier,
D A Culver, S R Fear, S J Howarth, D J McCarthy, P W L Sample, Miss M A Tomlinson,
J M Walsh and Mrs S A Warrander

Apologies: B E Dalton, Mrs I M Evans, M J Osment, P V H Paisey, I R Tomes and
(from 1915hrs), S J Howarth

Councillors: C R Vincent (County Councillor)

MINUTES NOT REQUIRING COUNCIL APPROVAL

68. CHAIRMAN'S ANNOUNCEMENTS

The Chairman, at the request of Councillor Mrs Chettleburgh, informed the Committee that Councillor Mrs Chettleburgh was seeking volunteers to assist with a collection, for the Mayor's Appeal, at the annual city centre funfair in the week commencing 20 October 2003.

The Chairman also informed the Committee that the Alabare Aluminium Recycling project team had purchased a new collection vehicle using the Discretionary Grant funding that the City Area Committee had recently awarded the Group, for this purpose and that the project Leader had requested that the team's thanks for the award be conveyed to the Committee. A photograph showing the project team with their new vehicle was circulated to members.

Lastly, at the request of the City Area SWAG Review Panel Chairman, the Chairman informed the Committee that, following an error made by an applicant awarded a Tranche 2 SWAG award, the applicants award had, necessarily, been reduced from £500 (as awarded) to £150.

69. PUBLIC STATEMENT / QUESTION TIME

Mrs Pam Roquette asked a question (see Annex A attached for details) relating to traffic arrangements at and leading to/from the Churchfields Estate, Salisbury.

70. COUNCILLOR STATEMENT / QUESTION TIME

There were statements by or questions from Councillors.

71. DECLARATIONS OF INTEREST

The following interests were declared :-

- Councillor Ms Mallory declared a personal interest in Agenda Item 8, Planning Application S/2003/0971, for the reason that the applicant was her hairdresser.
- Councillor Culver declared a personal & prejudicial interest in Agenda Item 8, Planning Application S/2003/1838, for the reason that he was a Director on the Board of the Downton Road Community Association (the 'Not For Profit' Group that had been set up to progress the application).

72. MINUTES

RESOLVED - that the minutes of the meeting held on 18 September 2003 be approved as a correct record and signed by the Chairman.

73. PUBLIC ENTERTAINMENT LICENCE (PEL) - VARIATION OF HOURS - THE OLD COACH HOUSE 23-25 MILFORD STREET SALISBURY

Mr Barrett, the applicant, informed the Committee that, in line with the Committee Procedure for determining PELs, he would be happy to answer questions relating to the application.

Following the receipt of the above statement, the Committee considered the report (previously circulated) of the Licensing Officer.

RESOLVED - that

- (1) approval be given to the application to increase the hours to 0300 hours Monday – Saturday for a trial period of 6 months;
- (2) approval be given to the application to extend the public entertainment licence to include an area on the second floor, provisional upon the applicant obtaining a Listed Building/Conservation Area Consent.

74. APPLICATION S/03/0971 - FULL APPLICATION - CHANGE OF USE TO RESIDENTIAL AT 79 ESTCOURT ROAD SALISBURY - FOR WENDY BUTLER

The Committee considered the report of the Head of Development Services together with the schedule of late correspondence circulated at the meeting.

RESOLVED - that, subject to the applicant and any other relevant parties undertaking, under Section 106 of the principal act, to pay a commuted sum under policy R2 of the Salisbury District Local Plan within one month, then

the above application be approved subject to the following conditions :-

- i. The development hereby permitted shall be begun before the expiration of five years from the date of this permission
- ii. The development shall be carried out in strict accordance with the drawing[s] hereby approved, or with such other details as may subsequently be submitted to and approved in writing by the Local Planning Authority.
- iii. Before the ground floor flat is occupied, a sound attenuation scheme is to be submitted and approved in writing by the Local Planning Authority and implemented in accordance with the approved details and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

The applicant be informed that :-

1. should they not comply with (1) & (2), above, the application will be delegated to the Head of Development Services to refuse the proposal on non-compliance with Policy R2; and
2. the permission has been granted in accordance with the following policies of the Adopted Salisbury District Local Plan: H8, G1, G2 & D3.

75. APPLICATION S/03/1556 – FULL APPLICATION – PROPOSED REDEVELOPMENT & DEMOLITION OF EXISTING BUILDING STRUCTURES & ERECTION OF NEW CAR SHOWROOM & WORKSHOP BUILDING TOGETHER WITH FORECOURT DISPLAY AREA & CAR PARK AT 48 CHURCHFIELDS ROAD SALISBURY - FOR WILSON INVESTMENT HOLDINGS

Mrs P Roquette, speaking on the behalf of the Salisbury Transport 2000 Group, informed the Committee that the Group objected to the application. In addition, Mrs Roquette requested that, should the Committee be minded to approve the above application, then the provision of a safe cycle route through the Estate be a condition of any planning consent.

Following the receipt of the above statement, the Committee considered the report of the Head of Development Services together with the schedule of late correspondence circulated at the meeting.

RESOLVED – that subject to all parties entering into a Section 106 Agreement whereby, within three months :

- a). a travel plan is entered into which reduces the reliance on the private motor vehicle to reach the site; and
- b). a financial contribution towards off site highway improvements/complimentary transportation measures is made;

then the above application be approved subject to the following conditions :-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
3. Before development commences, details of the hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority.
4. If within a period of 5 years from the date of the planting, any planting, is removed, uprooted or destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective,] planting of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
5. The development shall be carried out in accordance with the submitted plans and the applicants letter received on 26th September 2003, whereby no more than 25 percent of the total gross floor area of the proposed building shall be allocated/uses as car showrooms. The remainder of the floor space shall be used for motor vehicle repairs (non retail use) as hereby permitted.
6. Before development commences, a plan showing how the rear parking area is to be divided up between staff and customer parking shall be submitted to and approved in writing by the Local Planning Authority. The parking layout and allocation as agreed shall be laid out before the use hereby approved commences, and shall be kept free of obstruction and maintained as agreed thereafter. No car sales shall take place in this area.
7. Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority. The above scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the [public/buildings/environment] when the site is developed. Development shall not commence until the measures approved in the scheme have been implemented.
8. Before development commences, a scheme for the discharge of surface water from the building(s) hereby permitted shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved.
9. The premises shall be used for mixed car showroom, car sales and workshop use and for no other purposes (including any other purposes in class A1 of the schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
10. before development is commenced details of any external lighting, including location, type of fitting, luminance and direction of the lighting, shall be submitted to and approved in writing by the local planning authority. Development should be carried out in accordance with the approved details.

11. Before development commences, a plan showing the area for the display of cars for sale within the site shall be submitted to and approved in writing by the Local Planning Authority. Cars shall be positioned as agreed and shall not encroach on the public highway.

Contaminated Land

Activities carried out at this site may have caused contamination of soil, subsoil and groundsoil and groundwater present beneath the site and may present a threat to nearby surface waters, especially as a result of the proposed development.

Consequently, we recommend that the developer should take prudent steps to assess the risks associated with potential contaminants at this site to ensure the development will not cause pollution of Controlled Waters. Such a strategy should take the form of and include the following stages:

- a desk study, which should include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information.

If the potential for significant ground contamination is confirmed, this information should be used to produce:

- a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors.
- a site investigation, designed for the site, using this information and any diagrammatical representations (Conceptual Model) undertaken. The investigation must be comprehensive enough to enable:
 - (a) a suitable risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected;
 - (b) refinement of the Conceptual Model; and
 - (c) development of a Method statement detailing the remediation requirements.

This practice is considered important so that the site operator/owner, the regulatory authorities and other parties, such as the general public, potential purchasers or investors, can have confidence in the outcome, and any subsequent decisions made about the need for action to deal with any contamination at the site.

Councillors Clegg and Fear requested that their dissent (to the granting of approval of the application) be recorded.

76. APPLICATION S/03/1594 – FULL APPLICATION – BRICK ENCLOSURE TO HOUSE LIFT COOLING UNIT TO REDUCE NOISE LEVEL TO ACCEPTABLE LEVEL AT ELIZABETH COURT CRANE BRIDGE ROAD SALISBURY - FOR MICHAEL HEAP

Following a presentation by the Senior Environmental Health Officer outlining the noise issues relating to the above proposal, the Committee considered the report of the Head of Development Services together with the schedule of late correspondence circulated at the meeting.

RESOLVED – that the above application be approved subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the kiosk hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
3. Prior to development commencing, a scheme shall be submitted to, and approved in writing by, the Local Planning Authority to ensure that the machinery is designed and/or insulated so as to be inaudible, when operating, at the façade of the nearest building. The development shall be carried out in accordance with the approved scheme and maintained in this condition thereafter.

The applicant be informed that :-

1. they should liaise with the Senior Environmental Health Officer in agreeing the noise insulation measures to be undertaken in order to adhere to condition 3, above; and
2. this permission has been approved in accordance with the following policy/policies of the adopted Salisbury District Local Plan (G2 D3 & CN8).

77. S/2003/1608 – FULL APPLICATION – LOUNGE & BATHROOM EXTENSION TO GROUND FLOOR AT 1 LINKWAY SALISBURY - FOR MRS C COPE

The Committee considered the previously circulated report of the Head of Development Services.

RESOLVED – that the above application be approved subject to the following conditions :-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The materials to be used in the construction of the external surfaces of the extension(s) hereby permitted shall match those used in the existing building.

The applicant be informed that :-

1. this permission has been granted in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G2 & D3; and
2. the development, as approved, involves construction on or near a boundary with an adjoining property and the applicant should be advised that the planning permission does not authorise any other consent which may be required from the adjoining landowner or any other person, or which may be required under any other enactment or obligation.

78. S/2003/1609 – LISTED BUILDINGS (WKS) – NEW SINGLE STOREY EXTENSIONS TO REAR OF BUILDING VARIOUS INTERNAL ALTERATIONS BAR SERVERY

**MOVED TOILETS ALTERED STRUCTURAL OPENINGS FORMED AT NEW INN
NEW STREET SALISBURY FOR HALL & WOODHOUSE**

Mr Richardson, resident of 33, New Street informed the Committee that he objected to the above application. Mr Richardson spoke for 2 minutes.

Mr Hackett, resident of 39, New Street informed the Committee that he objected to the above application. Mr Richardson spoke for 1 minute.

Following the receipt of the above statements the Committee considered the previously circulated report of the Head of Development Services together with the schedule of late correspondence circulated at the meeting.

RESOLVED – that the Secretary of State be informed that the Local Planning Authority is minded to approve the above application, subject to the following conditions :-

1. The development for which permission is hereby granted must be commenced not later than the expiration of 5 years beginning with the date of this permission.
2. Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
3. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

The applicant be informed that this permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: CN7

**79. S/2003/1703 – FULL APPLICATION – EXTEND ROOF TO CREATE GABLE END
DESIGN AT 11 DEVONSHIRE ROAD SALISBURY - FOR MRS FIDDY**

Further to a site visit earlier that afternoon the Committee considered the report of the Head of Development Services together with the schedule of late correspondence circulated at the meeting.

RESOLVED – that the above application be refused for the following reasons :-

1. The proposed development, by reason of the roof alteration from hip to gable end would be out of keeping with the simple hipped roof character of the existing dwellings, will unbalance the pair of semi-detached properties and would be detrimental to the visual amenity of the distinctive architectural form and roofline of the street scene in this road. As such, this proposal is considered contrary to the Adopted Salisbury District Plan policies D3(i) and (ii).

**80. S/2003/1838 – FULL APPLICATION – ERECTION OF NEW COMMUNITY CENTRE
AND ASSOCIATED CAR PARKING AT (ADJACENT TO) ANCIENT WAY
SALISBURY - FOR DOWNTON ROAD COMMUNITY ASSOCIATION**

Mr Snow, Director, the Downton Road Community Association, spoke in support of the application.

Following the receipt of the above statement the Committee considered the report of the Head of Development Services together with the schedule of late correspondence circulated at the meeting.

RESOLVED – that, subject to the receipt, by the Local Planning Authority, of satisfactory amended plans, then the above application be approved subject to the following conditions :-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
3. The parking area shown on the approved plans shall be constructed and made available for use, prior to the community hall first coming into operation.
4. Before development commences full details of the hard and soft landscaping, and times of planting shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
5. Before the community centre first comes into operation, the proposed window(s) in the west facing elevation shall be fixed (non-openable) and glazed with acoustic glass, details of which shall be submitted to and approved in writing by the Local Planning Authority. The windows shall be maintained in the agreed condition thereafter.
6. Before development commences, a scheme for the discharge of surface water from the building(s) hereby permitted shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved.
7. No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed showing the relationship of the proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.
8. Details of any external lighting shall be submitted to and approved in writing by the Local Authority before the building is occupied. Development shall be carried out in accordance with the approved details.
9. No development shall take place until details of the treatment of the boundaries have been submitted to and approved in writing by the Local Planning Authority. Any tree screening, hedges, walls or fences thus approved shall be planted/erected prior to the occupation of the buildings.
10. The trees on the North Eastern boundary shall be protected during the course of the development in accordance with British Standard BS5837:1991 (Clauses 7 & 8)

11. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules of all landscape areas, other than small, privately owned, domestic gardens, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development (or any phase of the development, whichever is the sooner) for its permitted use. The landscape management plan shall be carried out as approved.

The applicant be informed that this permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G1, G2, PS1, D1, R4

81. S/2003/1865 – FULL APPLICATION – INSTALLATION WINDOW ON WEST WALL OF PROPERTY 1220X1558MM DOUBLE GLAZED UPVC WINDOW WITH GEORGIAN BAR AND K GLASS AT 136 THE CLOSE SALISBURY - FOR MR J J DAWSON

Further to a site visit earlier that afternoon the Committee considered the report of the Head of Development Services.

RESOLVED – that the above application be approved subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The window hereby approved shall match the existing window sited immediately to the South, in terms of size, form, design, materials, finishes, and colour, unless otherwise agreed in writing by the Local Planning Authority.

The applicant be informed that this permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G2, CN8

82. HISTORIC BUILDING GRANTS (HBGs) & CONSERVATION ENHANCEMENT GRANTS (CEGs) AND SPECIAL DELEGATION PROCEDURE:

The Committee noted that HBG and CEG applications of up to £2,500 will no longer be determined using the Council's Special Delegation Procedure owing to the fact that the Head of Forward Planning & Transportation possesses the delegated authority to determine such applications. HBGs and CEGs will, therefore, no longer be reported to Committee.

83. EXTENSION OF MEETING

In compliance with Council Policy, as the Committee could not conclude its business by 9.00 p.m., it resolved to extend the meeting by one hour (during which time the matters recorded under minutes 74, 76, 79, 81 and 82 were considered).

The meeting closed at 22.00hrs